
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

TERRANCE YANCY, §
§
Plaintiff, §
§
versus § CIVIL ACTION NO. 1:13-CV-90
§
§
UNITED STATES OF AMERICA, §
§
Defendant. §

**MEMORANDUM ORDER ADOPTING THE
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff, Terrance Yancy, an inmate formerly confined at the Federal Correctional Complex in Beaumont, Texas, proceeding *pro se* and *in forma pauperis*, filed this civil action pursuant to the Federal Tort Claims Act against the defendant the United States of America.

The court referred this matter to the Honorable Keith Giblin, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends defendant's motion for summary judgment as to plaintiff's negligent failure to protect claim be denied but recommended the motion be granted as to plaintiff's claim of negligent medical care.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, and pleadings. No objections to the Report and Recommendation have been filed by either party to date.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**.

SIGNED at Beaumont, Texas, this 19th day of March, 2014.

Marcia A. Crone

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE